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To the Secretary

Federal Communications Commission
1919 M Street, N.W.
Washington DC 20554

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REPLY COMMENTS ON PROPOSED RULEMAKING

In the matter of)	
)	
Amendment of Sec. 73.202(b),)	MM Docket No 97-180
Table of Allotments)	RM-9105
FM Broadcast Stations--Hawthorne WI)	
)	
)	
Submitted by:)	
)	
Bruce F. Elving)	Oct. 14, 1997
PO Box 336)	(218) 879-7676
Esko MN 55733-0336)	FM Atlas Publishing

Comes now Bruce F. Elving, Ph.D., with reply comments to the counterproposal to assign FM Channel 293A to Superior WI instead of to Hawthorne WI, as I proposed. [Comments to the proposal were submitted by me, Oct. 2, but please note that on p. 1 of my comments was a typographical error. It is RM-9105, not "9104."]

In the Oct. 2 filing I reluctantly agreed that the allocation should go to the larger and legal entity, Hawthorne "Township," not to the nonexistent village of Hawthorne.

I also mentioned several businesses in Hawthorne, including two large wood-products companies (and employers), Johnson Materials and Johnson Forest Products. I also pointed out that from 1960 through 1990 the population in Hawthorne has risen from 578 to 1049, and the 1996 estimate sits at 1051. This was contrasted with Douglas County, which saw a population decline from 45009 in 1960 to 41757 in 1990.

Now, let's direct our attention to the city of Superior.

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Again, I am making use of population figures from Ms. Rena Berchild, University of Wisconsin Extension for Douglas County, who is based in Superior. Census figures are used for the years 1960, 1970, 1980 and 1990, while estimates are for the other years.

1960	33564
1970	32237
1980	29571
1981	29901
1982	29612
1983	29196
1984	28097
1985	27665
1986	27661
1987	27476
1988	27115
1989	26914
1990	27134
1991	27224
1992	27263
1993	27365
1994	27234
1995	27339
1996	27455

The 1960 to 1970 percent change was -4.0; 1970-80 -8.3; 1980-1990, -8.2. During those years, Superior's population has gone down 19 percent, while Hawthorne's population went up 45 percent.

It is true that Superior is a larger city, blessed with schools, civic organizations, and especially taverns. Superior and Wisconsin, in general, enjoy more liberal laws about alcoholic beverages, with bars open later than in Minnesota. One of the big draws Superior has is to lure late-hours drinkers from Minnesota. The one commercial FM station there, KRBR (102.5), has its studio in Duluth, as does TV station KBJR

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(6). WDSM (AM 710) is also licensed Superior, but has studio in Duluth. Even KUWS (FM 91.3), at the University of Wisconsin-Superior, has its transmitter in Minnesota.

The reason that Superior has, in part, been unattractive to broadcasters to have their facilities there is the undesirable character of that city compared to Duluth. It is, indeed, a "poor sister" to the veritable jewel across the bay. Major advertisers and agencies are all in Duluth. Even the local electric utility, Superior Water, Light and Power Company, is owned by Minnesota Power, a New York Stock Exchange-listed company headquartered in Duluth MN.

Mark Heller of WTRW (AM 1590) Two Rivers WI suggests that Channel 293A (106.5 mhz) can be assigned to Superior at the coordinates previously suggested for Hawthorne. However, he contradicts himself by saying "the Superior proposal presents a more efficient use of the broadcast spectrum because it will have the potential to serve substantially more area and population than the Hawthorne proposal." I wonder how, by using the same coordinates I proposed, Heller's proposed station would serve more area and population? Perhaps he is hinting at a move-in by juggling other stations around. [By placing the station in Superior, he would enjoy the luxury of changing city of license later, since there are other AM and FM stations licensed there, while Hawthorne is less likely to have another station licensed to that city. This means once allocated to Hawthorne a station will most likely have to stay there.]

My proposal for Hawthorne stands on its own merits. I do not envision getting a construction permit, and then even before the station is built applying for an upgrade in the station class or move to another city, as happens with so many allotments.

Too, Heller's proposal is defective in claiming from the coordinates I list that "a 100% city-grade signal over the city of Superior, Wisconsin," will be provided.

To do that would be playing the "antenna height above average terrain" game to its most extreme. My calculation is that the closest a Channel 293A station can be placed to Superior is 26 km (from the center of the city; not the far extremes of the city). Normally, a Class A 70 dB/u signal would go 16 km.

Heller probably does not realize that preclusions force a far out-of-Superior site. These include the need to keep a 133 km spacing from WMFG-FM 106.3 Hibbing MN's (292C1) one-step application, and an i-f relationship to KDAL-FM 95.7 (239C1) Duluth, a distance of 22 km. [Please correct p. 4 of my original petition which gave the required distance as "12 km." The margin in my proposal goes from 20.5 to 10.50 km.]

It is entirely possible that adequate service could be provided Superior, but that might only be by placing the transmitting antenna at a lower elevation with comparatively high ERP, with a radial to the principal city carefully planned, but neglecting the other directions a station could serve--if at a lower ERP and higher AAT. This is because the land slopes gradually from Superior to a crest at or near the coordinates I

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proposed. By using a lower height, the radial toward Superior could be "pampered," but coverages in the other directions would be restricted.

Too, the proposal might unduly attract applicants that think Channel 293A in Superior can easily be applied for. Instead, it would take the most intricate of engineering to make Channel 293A work, and to provide a 70 percent 70 dB/u signal over Superior.

My suspicion is that Heller does not really want to serve Superior, but the larger city of Duluth across the bay. For the very reason other media companies have abandoned Superior in favor of neighboring Duluth, it can be expected that Heller, too, would create a station whose main service to "Superior" would be to utter the word quickly in the top-of-the-hour identification.

My proposal, by contrast, envisions a true Wisconsin outlet, whose signal and service would be strong in the area near where transmitter would be. A modest physical plant could be designed to easily serve Hawthorne, with no worry that a crucial radial to Superior be created, and no worry that i-f interference from KDAL-FM might impair reception in the very target area such a station might serve. Should Superior (and Duluth) receive adequate service from a Hawthorne station, that would be a bonus, but not something the FCC needs plan for in its table of allocations.

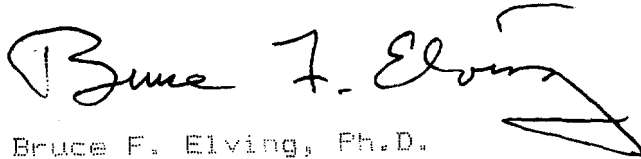
The Superior proposal should be dropped, and Hawthorne added

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to the table of allocations as I originally proposed. My proposal provides for realistic city-of-licensing and allows for the maximum population to be served from the site that was originally proposed.

To the best of my knowledge and belief, this document is correct and represents my honest feelings. I am not responding to the comments and counterproposal of WTRW, Inc. for reasons of delay.

Respectfully submitted,

A handwritten signature in cursive script, reading "Bruce F. Elving". The signature is written in dark ink and is positioned above the printed name.

Bruce F. Elving, Ph.D.

copy: Mark Heller, WTRW, Inc., mailed first class, non postage
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